

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-03 H-02 INR-07 L-02

NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06

ACDA-05 SAJ-01 SAM-01 /064 W
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FM AMEMBASSY BONN

TO SECSTATE WASHDC 9668

INFO AMEMBASSY BERLIN

USMISSION USBERLIN

AMEMBASSY LONDON

AMEMBASSY PARIS

AMEMBASSY MOSCOW

USMISSION NATO BRUSSELS

C O N F I D E N T I A L BONN 06771

E.O. 11652: GDS

TAGS: PGOV, WB, GW, UR, US, UK, FR

SUBJECT: FEBRUARY 27 SOVIET PROTEST ON EXTENSION TO
BERLIN OF FRG LAW ON INTERGOVERNMENTAL LEGAL
ASSISTANCE

REFS: (A) STATE 83458; (B) BONN 5717

1. AT BONN GROUP MEETING APRIL 23, US AND UK REPS
REPORTED APPROVAL OF TEXT CONTAINED REFTEL (B); BUT
FRENCH REP (BOISSIEU) STATED QUAI BELIEVES THAT DRAFT
REPLY ADDS NOTHING TO ALLIED REPLY OF NOVEMBER 27, 1974,
AND DOES NOT DEAL WITH SOME OF THE MOST IMPORTANT POINTS
MADE BY USSR, IN PARTICULAR PARAGRAPH OF SOVIET STATEMENT
CONCERNING PRACTICES EXISTING PRIOR TO QA'S ENTRY INTO
FORCE. BOISSIEU SAID THAT AN INCOMPLETE ALLIED ORAL
REPLY, PARTICULARLY ONE SUPPORTED BY PAPER LEFT WITH MFA,
COULD WELL GIVE USSR PRETEXT TO CLAIM ALLIES HAD NOT
REPLIED TO THEIR MOST RECENT STATEMENT. BOISSIEU SAID
PARIS SUGGESTED THAT IN LIEU OF ORAL REPLY WITH WRITTEN
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NON-PAPER AS HAD BEEN AGREED IN BONN GROUP ON AD REF

BASIS, ALLIES AT "RATHER HIGH" LEVEL IN MOSCOW SIMPLY
STATE THAT THEIR POSITION CONTINUES TO BE THAT EXPRESSED
IN NOVEMBER, LEAVING NO PAPER.

2. UK REPS WERE IMPRESSED WITH FRENCH VIEWS, AND STATED
THEY WOULD FAVORABLY REPORT THIS PROCEDURE TO LONDON. US
REP DISAGREED THAT TEXT CONTAINED REFTEL (B) DID NOT
COVER IN SOME WAY THE POINTS MADE IN MOST RECENT SOVIET
STATEMENT, BUT SAID HE WOULD REPORT FRENCH INSTRUCTIONS
AND DISCUSSION. FRG REP NOTED THAT ANY ATTEMPT TO DEAL
WITH "EXISTING PRACTICES" ARGUMENT OF SOVIET NOTE IN
ALLIED REPLY WOULD GET THREE POWERS AND FRG INTO AREA OF
MUTUAL DISAGREEMENT AND ADDED THAT FRENCH PROPOSAL SEEMED
BEST ALTERNATIVE.

3. COMMENT AND ACTION REQUESTED: AS WILL BE RECALLED,
PRESENT FRENCH PROPOSAL HAS BEEN CONSIDERED BY REPS TO BE
ONE OF VIABLE ALTERNATIVES WHICH EXIST IN CASE (SEE USBER
383). WHILE WE SLIGHTLY PREFER AD REF SCENARIO, QUADRI-
PARTITE AGREEMENT ON IT DOES NOT APPEAR POSSIBLE, AND WE
BELIEVE FRENCH PROPOSAL IS ACCEPTABLE. WE THEREFORE
RECOMMEND AGREEMENT TO EACH ALLIED EMBASSY IN MOSCOW
MAKING ORAL STATEMENT, WITHOUT LEAVING ANY PAPER, TO
EFFECT ALLIED AUTHORITIES HAVE NOTHING TO ADD TO NOVEMBER
REPLY, WHICH CONTINUES TO BE ALLIED POSITION CONCERNING
THIS MATTER. THIS REAFFIRMATION WOULD BE MADE TO MFA IN
COURSE OF OTHER BUSINESS AT LEVEL TO BE DECIDED BY MOSCOW
EMBASSIES.
HILLENBRAND

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